

## **REMARKS**

### ***Status of the Claims***

Upon entry of the foregoing, new claim 38 will be pending. Claims 20-37 are canceled herein without prejudice or disclaimer. Support for new claim 38 may be found throughout the specification and original claims as filed.<sup>1</sup>

Applicant respectfully requests entry of the above amendment and submits that the amendment (i) does not raise new issues that require further search and/or consideration; (ii) does not introduce new matter; and (iii) reduces issues for appeal.

### ***Interview Summary***

On March 1, 2010, Applicant's representatives and Examiner Chernyshev conducted a telephonic interview. During the interview, Examiner Chernyshev indicated that new claim 41 is allowable. Applicant's representatives and Applicant thank Examiner Chernyshev for her time and consideration during the interview.

### ***Rejections Under 35 U.S.C. § 112, Second Paragraph***

Claims 20-37 stand rejected as being indefinite because the claims allegedly recite broad language (e.g., "a polypeptide comprising the amino acid sequence of SEQ ID NO: 5") followed by narrower language (e.g., "an epitope created by the junction of exon 3 and 5").

Applicant has canceled claims 20-37. Accordingly, this rejection is moot.

### ***Rejections Under 35 U.S.C. § 102(b)***

Claims 20-37 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,420,534.

Applicant has canceled claims 20-37. Accordingly, this rejection is moot.

Claims 20-37 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,583,275.

Applicant has canceled claims 20-37. Accordingly, this rejection is moot.

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<sup>1</sup> See, e.g., Specification, page 13, lines 11-20; page 22, lines 18-26.


**CONCLUSION**

In view of the above remarks, early notification of a favorable consideration is respectfully requested. An indication of allowance claim 38 is respectfully requested.

Respectfully submitted,  
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Dated: March 17, 2010

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